IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

WP(C).No. 31781 of 2006(H)

PETITIONER:

MOHANAN S., S/O. SUKUMARAN,
AGED 54 YEARS, GOVT.CONTRACTOR, `AYILYAM',KARINGAL
KANDALA P.O., KATTAKKADA, THIRUVANANTHAPURAM DIST.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPT. OF PUBLIC WORKS, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
DEPT. OF FINANCE, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
P.W.D. ROADS DIVISION, THIRUVANANTHAPURAM.

4. THE ASSISTANT EXECUTIVE ENGINEER,
P.W.D., ROADS SUB DIVISION, NEDUMANGAD.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31781 of 2006

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Dated this the 6th day of December, 2006.

JUDGMENT

The petitioner is a contractor who has approached this court for direction to release contract amount overlooking priority on account of his illness which is certified to be cancer by the Hospital treating him. Government Pleader submitted that bills are subject to audit, even though petitioner has submitted that his bill is for around Rs.11 lakhs. In the circumstances, W.P. is disposed of directing respondents 2 to 4 to complete auditing in respect of bills presented by the petitioner and release Rs.2 lakhs from out of the amount approved for payment within a period of one month from the date of production of copy of this judgment by the petitioner. Balance amount will be paid in accordance with the priority and subject to judgments of this court on payment.

C.N.RAMACHANDRAN NAIR
Judge

pms